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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/648,321

08/27/2003

Jung-Ho Kim

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21171

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04/19/2006

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

DWIVEDI, VIKANSHA S

ART UNIT

PAPER NUMBER

3746

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/648,321	<b>Applicant(s)</b> KIM ET AL.	
	<b>Examiner</b> Vikansha S. Dwivedi	<b>Art Unit</b> 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on August 27, 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date August 27, 2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

Applicant Information Disclosure Statement submitted on 8/27/2003 is acknowledged. Since the submission complies with 37CFR 1.97 and 1.98 the references listed therein have been considered. An initialed and dated copy of Applicant's IDS form is attached to the instant Office action.

### ***Priority***

No priority claimed for the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-3, 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collingwood (U.S. patent number 5,662,835) in view of Patel (U.S. Patent number 5,673,022).

Collingwood discloses an air circulating device (Shown in Figure 1 with exploded view of the components), comprising: a housing (5) having an air inlet port (13 and 21) and an air outlet port (12), a blowing fan set (4) in the housing; and a motor (3) to drive the blowing fan; wherein the air inlet port is provided at a front of the housing (shown in

Art Unit: 3746

figure 2 and 3), and the air outlet port is provided on an outer circumferential surface of the housing (Shown in Figure 1); wherein the housing comprises: a front casing provided with the air inlet port; and a rear casing assembled with the front casing, wherein the air outlet port is provided on an outer circumferential surface of the rear casing; wherein the housing further comprises a unit to support a scented material (Fragrance Column 1, line 3-6), to affect the olfactory quality of the circulated air.

Collingwood discloses a battery powered device and does not disclose a device that has plugs and can be connected to the power source. Patel discloses a light sensor that can be conveniently plugged in to any wall power outlet or so. Patel further discloses two sockets (16) provided at a surface of the housing, thus allowing a plug of another electrical device to be connected to the socket; wherein the socket is provided opposite (Shown in Figure 5) to the surface of the housing having the plug (18, 19 Column 3, lines 43-45); wherein the device is structurally supported by the plug when connected to a wall outlet; wherein a plug of another electrical device connects to the socket and is powered by the same source and the device is structurally supported by the plug when connected to a wall outlet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air circulating device disclosed by Collingwood in view of Patel for the purpose of having a air circulating device that conveniently plugs into standard power outlets and can be mounted on any wall or ceiling outlet without losing connection for other devices that might need to be plugged in the outlet.

Art Unit: 3746

Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collingwood (U.S. patent number 5,662,835) in view of Patel (U.S. Patent number 5,673,022) and further in view of Bogage (U.S. Patent number 5,575,624)


Bogage discloses a motor (in the housing 102) and fan (101) assembly that also has user-operated controls (on the fixture operating the fan, forward/reverse switch S1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air circulating device disclosed by Collingwood in view of Patel and further in view of Bogage to have a bidirectional flow to move the air in both upward and downward direction to achieve better circulated and fresh (from the scent) air quality.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikansha S. Dwivedi whose telephone number is 571-272-7834. The examiner can normally be reached on M-F, 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy S. Thorpe can be reached on 571-272-4444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VSD

  
**TAE JUN KIM**  
**PRIMARY EXAMINER**